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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/540,426	06/24/2005	Tae Hyoung Kim	2080-3390	4238
35884 7590 04/30/2008 LEE, HONG, DEGERMAN, KANG & SCHMADEKA 660 S. FIGUEROA STREET Suite 2300 LOS ANGELES, CA 90017				
EXAMINER				
CHOKSHI, PINKAL R				
ART UNIT		PAPER NUMBER		
2623				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/540,426

**Applicant(s)**

KIM ET AL.

**Examiner**

PINKAL CHOKSHI

**Art Unit**

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1-19** are rejected under 35 U.S.C. 102(e) as being anticipated by US Patent 7,269,330 B1 to Iggulden (hereafter referenced as Iggulden).

Regarding **claim 1**, “a dynamic searching method of video contents” reads on the method in a video playback unit to identify selected broadcast segments (abstract and col.10, lines 20-30) disclosed by Iggulden and represented in Fig.

3. As to “the method comprising the steps of: (a) determining a normal replay section and a fast forward replay section with considering shot index information and a current replay location” Iggulden discloses (col.5, lines 1-7) that after selected segments information identified by playback device, it plays or skips these selected segments based on the information provided for them. As to “(b) replaying the video contents from the current replay location at corresponding speeds according to the determined sections” Iggulden discloses (col.5, lines 14-18) that once the signature pattern for selected segments matches with the stored signature patterns, it immediately identifies it and based on this

information it either skips or plays the video. Iggulden further discloses (col.5, lines 21-40) that if the signature pattern does not match with the selected segment then it stores this information for future use.

Regarding **claim 2**, "the dynamic method wherein the step (b) comprises the steps of: (b-1) fast-forwarding the video contents from the current location at a speed as fast as the replay speed of the fast forward replay section" Iggulden discloses (col.5, lines 14-18) that after the signature pattern for selected segments matches with the stored information for selected segments, it skips the video segment during the playback. As to "(b-2) replaying the video contents at a normal speed as fast as the speed of the normal replay section when a replay location of the video contents accords with a start location of the normal replay section" Iggulden discloses (col.10, lines 35-40) that after the end of advertisement segment, system immediately ramps up the audio/video component of the program to play the video at normal speed as represented in Fig. 3.

Regarding **claim 3**, "the dynamic method wherein the normal replay section is determined using a start location and length information obtained from the shot index information" Iggulden discloses (col.5, lines 25-38) that the received segment is analyzed based on the lengths and start of next program segment to determine if it's a selected segment as represented in Fig. 3.

Regarding **claim 4**, “the dynamic method wherein, in the normal replay section, audio contents as well as the video contents are replayed at a normal speed” Iggulden discloses (col.10, lines 35-40) that after the end of advertisement segment, system immediately ramps up the audio/video component of the program to play the video at normal speed as represented in Fig. 3.

Regarding **claim 5**, “the dynamic method wherein the shot index information comprises section information in a stream for an individual shot that is a physical editing unit of the video contents” Iggulden discloses (col.9, lines 60-66) that the memory unit stores the advertisement segment information from a video stream as represented in Fig. 3.

Regarding **claim 6**, “the dynamic method wherein the replay mode is switched from the normal replay to the fast forward replay in any one case selected from the group consisting of a case that a user clearly requests the fast forward replay during the normal replay in a dynamic search mode, a case that the user requests a dynamic search function during the normal replay, and a case that a predetermined amount of the video contents has been completely replayed at a normal speed in a dynamic search” Iggulden discloses (col.25, line

61-col.26, line 3) that the user has ability to fast forward the commercial during the normal play.

Regarding **claim 7**, "the dynamic method wherein the replay mode is automatically switched from the normal replay into the fast forward after a predetermined amount of the video contents has been replayed at a normal speed during a dynamic search" Iggulden discloses (col.5, lines 47-52) that after watching a television program, when selected segment is encountered, it automatically skips it. Iggulden further discloses (col.13, lines 17-32) that at the predetermined time periods, commercials are recorded/skipped as represented in Fig. 4. As to "the amount of the video contents to be replayed at the normal speed corresponds to an entire selected shot" Iggulden discloses (col.9, lines 64-66) that upon detection of next event marker for regular program segment, skipping for advertisement is terminated and plays at normal mode.

Regarding **claim 8**, "the dynamic method wherein the replay mode is automatically switched from the normal replay into the fast forward after a predetermined amount of the video contents has been replayed at a normal speed during a dynamic search" Iggulden (US Patent 5,333,091) incorporated by Iggulden in entirety. Iggulden (US Pat 5,333,091) discloses (col.2, lines 34-44, 56-63) that during the presence of a commercial in a TV signal, system automatically scanned past at high speed. As to "the amount of the video

contents to be replayed at the normal speed is an amount designated in a first half of a selected shot regardless of shot length" Iggulden (US Pat 5,333,091) further discloses (col.2, lines 63-66) that the VCR returns to the normal play mode when the tape reaches the beginning portion of video signal.

Regarding **claim 9**, "the dynamic method wherein the replay mode is switched from the fast forward replay to the normal replay in any one case selected from the group consisting of a case that a user clearly requests the normal replay during the fast forward in a dynamic search mode, a case that a replay location of the video contents reaches a start location of a shot whose normal replay section is long during the fast forward for the dynamic search" Iggulden (US Pat 5,333,091) discloses (col.2, lines 63-66) that the VCR returns to the normal play mode when the tape reaches the beginning portion of video signal. Iggulden (5333091) further discloses (col.4, lines 39-52) that VCR is automatically commanded back into the play mode from fast forward mode when it reaches the start point of the next program location.

Regarding **claim 10**, "the dynamic method wherein the replay mode is automatically switched from the fast forward into the normal replay during the fast forward for a dynamic search, a current replay location of the video contents is a start location of the normal replay" Iggulden (5333091) discloses (col.4, lines 39-42) that the starting point of video contents is a starting point of event A in normal

play mode. As to "a shot to begin to be replayed at a normal speed is selected as a shot whose length is larger than a predetermined threshold, the length being calculated based on shot section information (start location and end location) in the shot index information" Iggulden discloses (col.5, lines 25-38) that an analysis is done based on the length of the video contents to distinguish between a normal play mode and fast forward mode.

Regarding **claim 11**, "the dynamic method wherein the replay mode is automatically switched from the fast forward into the normal replay during the fast forward for a dynamic search, a current replay location of the video contents is a start location of the normal replay" Iggulden (5333091) discloses (col.4, lines 39-42) that the starting point of video contents is a starting point of event A in normal play mode. As to "a shot to begin to be replayed at a normal speed is selected as a shot whose division result is larger than a predetermined threshold, the division result being obtained by dividing length calculated based on shot section information (start location and end location) in the shot index information by an average of lengths of surrounding shots" Iggulden discloses (col.5, lines 25-38) that an analysis is done based on the length of the video contents to distinguish between a normal play mode and fast forward mode.

Regarding **claim 12**, "the dynamic method wherein, when the video contents are fast-forwarded for more than a predetermined period defined in the

dynamic search, the video contents automatically begin to be replayed at a normal speed during the fast forward" Iggulden discloses (col.13, lines 48-61) that if the second event marker does not occur at predetermined time period, then the system rejects the current fast forward mode and goes back to normal mode.

Regarding **claim 13**, "a dynamic searching method of video contents" reads on the method in a video playback unit to identify selected broadcast segments (abstract and col.10, lines 20-30) disclosed by Iggulden and represented in Fig. 3. As to "the method comprising the steps of: (a) when a dynamic search is requested during a video browsing, determining a normal replay section with considering shot index information and a current replay location of video contents" Iggulden discloses (col.5, lines 1-7) that after selected segments information identified by playback device, it plays or skips these selected segments based on the information provided for them. As to "(b) fast-forwarding the video contents at a high speed from the current replay location to a start location of the normal replay section" Iggulden discloses (col.5, lines 14-18) that after the signature pattern for selected segments matches with the stored information for selected segments, it skips the video segment during the playback. As to "(c) replaying the video contents at a normal speed as fast as the speed of the normal replay section when a replay location of the video contents is a start location of the normal replay section" Iggulden discloses

(col.10, lines 35-40) that after the end of advertisement segment, system immediately ramps up the audio/video component of the program to play the video at normal speed as represented in Fig. 3. As to "(d) when the replay of the video contents on the normal replay section is completed, repeatedly performing the steps (a) to (c)" Iggluden discloses (col.16, lines 20-24) that these steps are repeated for the video contents.

Regarding **claim 14**, "the dynamic method wherein, in the normal replay section, audio contents as well as the video contents are replayed at a normal speed" Iggluden discloses (col.10, lines 35-40) that after the end of advertisement segment, system immediately ramps up the audio/video component of the program to play the video at normal speed as represented in Fig. 3.

Regarding **claim 15**, "the dynamic method wherein the shot index information comprises section information in a stream for an individual shot that is a physical editing unit of the video contents" Iggluden discloses (col.9, lines 60-66) that the memory unit stores the advertisement segment information from a video stream as represented in Fig. 3.

Regarding **claim 16**, "the dynamic method wherein the replay mode is switched from the normal replay to the fast forward replay in any one case

selected from the group consisting of a case that a user clearly requests the fast forward replay during the normal replay in a dynamic search mode, a case that the user requests a dynamic search function during the normal replay, and a case that a predetermined amount of the video contents has been completely replayed at a normal speed in a dynamic search” Iggulden discloses (col.25, line 61-col.26, line 3) that the user has ability to fast forward the commercial during the normal play.

Regarding **claim 17**, “the dynamic method wherein the replay mode is switched from the fast forward replay to the normal replay in any one case selected from the group consisting of a case that a user clearly requests the normal replay during the fast forward in a dynamic search mode, a case that a replay location of the video contents reaches a start location of a shot whose normal replay section is long during the fast forward for the dynamic search” Iggulden (US Patent 5,333,091) incorporated by Iggulden in entirety. Iggulden (US Pat 5,333,091) discloses (col.2, lines 63-66) that the VCR returns to the normal play mode when the tape reaches the beginning portion of video signal. Iggulden (5333091) further discloses (col.4, lines 39-52) that VCR is automatically commanded back into the play mode from fast forward mode when it reaches the start point of the next program location.

Regarding **claim 18**, "a dynamic searching apparatus of video contents" reads on the video playback unit to identify selected broadcast segments (abstract and col.10, lines 20-30) disclosed by Iggulden and represented in Fig. 3. As to "apparatus comprising: a media storage unit for storing video contents" Iggulden discloses (col.14, lines 20-24) that the advertisement along with program events are stored in memory unit as represented in Fig. 1 (element 128). As to "an index storage for storing shot index information on the video contents" Iggulden discloses (col.14, lines 54-58) that memory unit stores temporary signature, time of the signature information as represented in Fig. 1 (element 150). As to "a controller for determining a normal replay section and a fast forward replay section by using the shot index information, and controlling to replay the video contents according to the determined sections" Iggulden discloses (col.9, lines 43-54) that the control unit handles all the operations of the playback unit as represented in Fig. 1 (element 126). As to "an output unit for outputting the replayed video contents" Iggulden discloses (col.9, lines 55-59) that the control unit sends the video signal to monitor as represented in Fig. 1 (element 104). As to "an index generator for generating shot index information of the video contents" Iggulden (US Patent 5,333,091) incorporated by Iggulden in entirety. Iggulden (US Pat 5,333,091) discloses (col.6, lines 61-66) that the analyzed data with classification information for the video signal is stored in memory so that control signals can be generated for controlling the VCR.

Regarding **claim 19**, "the dynamic apparatus wherein the controller comprises: a command interpreter for generating commands for replaying control, recording control, nonlinear video browsing control and indexing control to provide functions of record, index generation, replay and dynamic search" Iggulden discloses (col.11, lines 20-28) that the operator command allows the viewer to control all the functions which are on remote control unit such as forward/rewind, record selected commercials.

As to "a record controller for controlling to store the video contents in the media storage unit" Iggulden discloses (col.20, lines 13-16) that the control unit to determine if an operator command thru remote control has been sent to store the current segment.

As to "a replay controller for outputting the video contents to the output unit, controlling to replay the entire video contents, and providing a nonlinear video browsing function and fast-forward/fast-rewind functions" Iggulden discloses (col.9, lines 55-59; col.25, lines 46-65) that the remote control device controls pause, fast forward, rewind, and sends output to monitor.

As to "an index manager for delivering storage information on the video contents to the replay controller to provide the fast-forward/fast-rewind functions, and providing the shot index information to the nonlinear video browsing controller" Iggulden (US Patent 5,333,091) incorporated by Iggulden in entirety. Iggulden (US Pat 5,333,091) discloses (col.6, lines 61-66) that the analyzed data

with classification information for the video signal is stored in memory so that control signals can be generated for controlling the VCR.

### ***Conclusion***

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- US Patent 6,588,015 to Eyer et al. discloses a digital radio broadcast system that provides interactive features such as skip forward/backward.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to PINKAL CHOKSHI whose telephone number is (571) 270-3317. The examiner can normally be reached on Monday-Friday 8 - 5 pm (Alt. Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Pendleton can be reached on 571-272-7527. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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